

EXHIBIT E

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

)

EVER-SEAL, INC.,)
Plaintiff,)
v.) **No. 3:22-cv-00365**
DURASEAL, INC.,)
Defendant.)
)

**PROPOSED ORDER GRANTING DEFENDANT DURASEAL, INC.'S MOTION TO
DISMISS PLAINTIFF'S AMENDED COMPLAINT FOR LACK OF PERSONAL
JURISDICTION AND, IN THE ALTERNATIVE, TO TRANSFER VENUE**

Defendant DuraSeal, Inc. moved the Court under Fed. R. Civ. P. 12(b)(2) to dismiss this action for lack of personal jurisdiction, or, in the alternative, to transfer this case under Fed. R. Civ. P. 12(b)(3) due to improper venue. Based on the Court's review of the record, including Plaintiff's Amended Complaint and Defendant's Motion to Dismiss and supporting Declaration and Exhibits, the Court finds that it does not have a basis for exercising general or specific personal jurisdiction over Defendant. The Court further finds that transfer would be appropriate but for the dismissal on jurisdictional grounds. Therefore, finding good cause, the Court **GRANTS** Defendant's Motion and dismisses Plaintiff's claims against Defendant without prejudice.

IT IS SO ORDERED.

ELI RICHARDSON
UNITED STATES DISTRICT JUDGE
Date:

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document has been filed using the Court's CM/ECF system on July 1, 2022, which will automatically send a copy of the filing to all counsel of record in this case.

/s/ Thomas W. Shumate IV
Thomas W. Shumate IV